

Exhibit A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JESSICA VALDEZ, on behalf of herself, individually,
and on behalf of all others similarly-situated,

Plaintiff,

-against-

MICHPAT & FAM, LLC, d/b/a DAIRY QUEEN
GRILL & CHILL RESTAURANT, and PATRICIA
NAPPO, a/k/a PATRICIA DEMINT, individually,

Defendants.

Docket No.:
2:20-cv-2570-AMD-SIL

**OFFER OF JUDGMENT
PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE
68**

TO PLAINTIFF JESSICA VALDEZ AND HER ATTORNEY OF RECORD:

PLEASE TAKE NOTICE THAT, Defendants MICHPAT & FAM, LLC, d/b/a DAIRY QUEEN GRILL & CHILL RESTAURANT, and PATRICIA NAPPO, a/k/a PATRICIA DEMINT, individually, (“Defendants”) hereby offer to allow entry of judgment to be taken against them pursuant to Rule 68 of the Federal Rules of Civil Procedure as follows: a judgment in favor of Plaintiff Jessica Valdez, Frances Balducci, Angelina Boyce, Ebony Smith, Jonathan Johnson, Rahmeek Walker, Sirbashin Wakins, Amanda Flecker, Mitchell Flecker, Gavin Quiery, Kyle Mcguire, and Kimonet Vick (“Plaintiffs”) and against Defendant, jointly and severally, in the sum of \$150,000.00 inclusive of all attorney’s fees, costs, prejudgment interest or any additional sums entitled to Plaintiffs. The total sum paid to Plaintiffs shall be \$150,000.00 for settlement of Plaintiffs’ FLSA claims only. This shall be the total amount to be paid by Defendants on account of any and all liability claimed with respect to Plaintiffs FLSA Claims.

If Plaintiffs do not accept this offer, they must become obligated to pay Defendants’ costs incurred after the making of this offer in the event that they do not recover a judgment that is more

favorable than this offer of judgment pursuant to Rule 68(d) of the Federal Rules of Civil Procedure.

To accept this offer, Plaintiffs must serve within notice of acceptance thereof within fourteen (14) days of the date this offer is made.

This offer is not to be construed in any way as an admission of liability by the Defendants, but rather is made solely for the purpose of compromising a disputed claim.

Dated: February 15, 2024
Garden City, New York

LAW OFFICES OF JASON L. ABELove, P.C.

By:  _____

Jason L. Abelow
Attorney for Defendant
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